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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SUMITOMO MITSUBISHI SILICON
CORPORATION, et al.,

No. C 05-2133 SBA
(Related to Case No. C 01-4925)

Plaintiffs,

v.

MEMC ELECTRONIC MATERIALS, INC.,

Defendant.

ORDER

Currently pending before the Court in Related Case No. C 01-4925 are: (1) SUMCO's Motion for Summary Judgment of Non-Infringement and Invalidity, (2) SUMCO's Motion to Exclude the Expert Report and Testimony of Plaintiff's Proposed Expert Mule'Stagno, (3) SUMCO's Motion for Summary Judgment of Zero Damages, (4) MEMC's Motion for Summary Judgment Against Defendants' Invalidity Affirmative Defense, and (5) MEMC's Motion for Summary Judgment of Active Inducement.

In order to conserve the resources of the parties and the Court, the Court finds it appropriate to continue the Case Management Conference in Case No. C 05-2133 until after the Court has issued its ruling on the aforementioned motions.

Accordingly,

IT IS HEREBY ORDERED THAT the Case Management Conference, currently scheduled for January 25, 2006 at 3:00 p.m. is VACATED. The parties shall appear for a telephonic Case Management Conference on Wednesday, February 15, 2006 at 3:30 p.m. The parties shall meet and confer prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than five (5) days prior to the Case Management Conference. Counsel for Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call. All

1 parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

2 IT IS SO ORDERED.

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Saundra B Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge